



**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JEFF H. WILLIAMSON,

Plaintiff,

vs.

COUNTY OF WASHOE, *et al.*,

Defendants.

3:07-cv-0592-BES-VPC

**FINDINGS & RECOMMENDATION**

Plaintiff, an inmate at the Washoe County Detention Facility, has submitted a *pro se* civil rights complaint and motion to proceed *in forma pauperis*. Before the Court is plaintiff's "Emergency Motion for Preliminary Injunction and/or Request for Evidentiary Hearing," filed December 17, 2007. (Docket #8).

A preliminary injunction is an extraordinary remedy, and the right to relief must be both clear and unequivocal before a court will grant an injunction. *See Schrier v. University of CO*, 427 F.3d 1253, 1258 (10<sup>th</sup> Cir. 2005). A request for injunctive relief that goes beyond simply maintaining the status quo, "is particularly disfavored, and should not be issued unless the facts and law clearly favor the moving party." *Anderson v. United States*, 612 F.2d 1112, 1114 (9<sup>th</sup> Cir. 1979), *See Stanley v. Univ. of S. Cal.*, 13 F.3d 1313, 1319-20 (9<sup>th</sup> Cir. 1994). A preliminary injunction will only be granted if the requesting party demonstrates either: (1) a combination of probable success on

1 the merits and the possibility of irreparable harm; or (2) the existence of serious questions going to  
 2 the merits and the balance of hardships tips sharply in favor of the requesting party. *LGS Architects,*  
 3 *Inc. v. Concordia Homes of Nevada*, 434 F.3d 1150, 1155 (9<sup>th</sup> Cir. 2006); *Sony Computer*  
 4 *Entertainment Am., Inc. v. Bleem, LLC*, 214 F.3d 1022, 1025 (9<sup>th</sup> Cir. 2000). The two formulations  
 5 represent a sliding scale where the degree of irreparable harm required increases as the probability of  
 6 success decreases. *Id.* A movant with questionable claims does not meet the likelihood of success  
 7 criterion. *Grupo Mexicano de Desarrollo S.A. v. Alliance Bond Fund, Inc.*, 527 U.S. 308, 340  
 8 (1999).

9 In this case, the facts and law do not favor plaintiff. Plaintiff claims that he is the  
 10 victim of a conspiracy carried out by government officials. Plaintiff claims, among other things, that  
 11 government officials: “nurture the atmosphere of conflict [and] danger . . . suppress, chill and  
 12 neutralize the plaintiff’s free speech and his political websites-blogs . . . destroy plaintiff’s  
 13 reputation, credibility, ability to earn a living . . . destroy the plaintiff psychologically and/or  
 14 physically through dangerous government programs . . . put some ‘terrorist’ label on the plaintiff,  
 15 activist and protestors as international terrorist organizations . . . to obstruct justice . . . cover up  
 16 misconduct and political motives . . . and other dirty tricks.” (Plaintiff’s Motion at pp. 2-3). It is  
 17 unclear what form of relief plaintiff is seeking by way of this motion.

18 Plaintiff has failed to show either a combination of probable success on the merits and  
 19 the possibility of irreparable harm, or the existence of serious questions going to the merits and that  
 20 the balance of hardships tips sharply in favor plaintiff. Moreover, plaintiff has not demonstrated that  
 21 he is subject to irreparable harm. Plaintiff’s motion contains allegations that are factually fanciful  
 22 and legally frivolous. *See Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *Franklin v. Murphy*, 745  
 23 F.2d 1221, 1227-28 (9<sup>th</sup> Cir. 1984). Petitioner’s motion for a preliminary injunction should be  
 24 denied.

## 25 **V. Conclusion**

26 Based on the foregoing, it is the **RECOMMENDATION** of the undersigned

DATED this 2nd day of January, 2007.

Debra J. Fisher  
UNITED STATES MAGISTRATE JUDGE